

With best wishes, I am,  
Sincerely,

KAREN L. HAAS,  
Clerk of the House.

# COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC,  
September 22, 2006.

Hon. J. DENNIS HASTERT,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 22, 2006, at 11:20 a.m.:

That the Senate passed S. 3850.

With best wishes, I am,  
Sincerely,

KAREN L. HAAS,  
Clerk of the House.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

## LOWER FARMINGTON RIVER AND SALMON BROOK WILD AND SCENIC RIVER STUDY ACT

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1344) to amend the Wild and Scenic Rivers Act to designate a segment of the Farmington River and Salmon Brook in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1344

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Lower Farmington River and Salmon Brook Wild and Scenic River Study Act".

### SEC. 2. DESIGNATION OF ADDITIONAL SEGMENT OF FARMINGTON RIVER AND SALMON BROOK IN CONNECTICUT FOR STUDY FOR POTENTIAL ADDITION TO NATIONAL WILD AND SCENIC RIVERS SYSTEM.

(a) FINDINGS.—The Congress finds the following:

(1) The Farmington River and Salmon Brook in the State of Connecticut possess important resource values, including wildlife, ecological, and scenic values, and historic sites and a cultural past important to America's heritage.

(2) There is a longstanding interest among State and local officials, area residents, and river and brook users in undertaking a con-

certed cooperative effort to manage the river and brook in a productive and meaningful way.

(b) DESIGNATION.—Section 5(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(a)) is amended by adding at the end the following new paragraph:

"(139) LOWER FARMINGTON RIVER AND SALMON BROOK, CONNECTICUT.—The segment of the Farmington River downstream from the segment designated as a recreational river by section 3(a)(156) to its confluence with the Connecticut River, and the segment of the Salmon Brook including its mainstem and east and west branches."

(c) TIME FOR SUBMISSION.—Not later than three years after the date of the enactment of this Act, the Secretary of the Interior shall submit to Congress a report containing the results of the study required by the amendment made by subsection (b).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

□ 1415

Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1344, introduced by the gentlewoman from Connecticut (Mrs. JOHNSON) and amended by the House Resources Committee would designate a segment of the Farmington River and Salmon Brook in the State of Connecticut for study for potential addition to the National Wild and Scenic River Systems.

I urge adoption of the bill.

Mr. Speaker, I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield myself such time as I may consume.

(Ms. BORDALLO asked and was given permission to revise and extend her remarks.)

Ms. BORDALLO. Mr. Speaker, while the majority has decided to bypass the hearing and the committee consideration process for the pending legislation, H.R. 1344, since it simply authorizes a study of a proposed river designation, we have no objection to adoption of the bill by the House today.

Mr. Speaker, I reserve the balance of my time.

Mr. RENZI. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Connecticut (Mrs. JOHNSON), the author of the bill.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank the gentleman from Arizona (Mr. RENZI); and I thank the gentlewoman from Guam for her concurrence in moving this study forward; and I thank the gentleman from California (Mr. POMBO), chairman of the Resources Committee, for allowing this matter to come to the floor of the House early in the week.

Mr. Speaker, I rise in strong support of H.R. 1344, the Lower Farmington River and Salmon Brook Wild and Scenic River Study Act. This important legislation builds on the designation of the west branch of the Farmington River which I initiated in 1994. The bill

commissions a feasibility study to evaluate whether the lower Farmington River and Salmon Brook qualify as a Wild and Scenic Partnership River within the National Park Service's Wild and Scenic Rivers System. The lower Farmington is defined as a 40-mile stretch between the lower Collinsville Dam in Burlington and the Rainbow Dam in Windsor in the Fifth and First Congressional Districts.

The Farmington River and Salmon Brook's recreational and environmental contributions to our State are well-known and must be protected for future generations. The 14 miles of the Farmington River's West Branch, designated as a Wild and Scenic Partnership River in 1994, is a resounding environmental and economic success. Partnership designation for the West Branch has fostered public-private partnerships to preserve the area's environment and heritage, while yielding the economic benefits to river towns.

The West Branch of the river is home to trout, river otter and bald eagle populations; and historic structures still grace its banks. Fishermen, hikers, canoeists and kayakers enjoy the river and its banks year-round. In addition, a 2003 study by North Carolina State University found that partnership designation resulted in millions in economic activity and increased property values in the river towns of Barkhamsted, Canton, Colebrook, Hartland, and New Hartford.

I hope to see the rest of the Farmington River, as well as Salmon Brook, enjoy similar success. This new initiative is an ideal way to extend that protection and showcase the river's unique cultural and recreational resources, including native American archaeological sites and the Farmington River Canal remnants.

The Lower Farmington also offers recreational opportunities and has been the site of U.S. Olympic Team white water slalom trials. Additionally, the river is home to native brook trout and the slimy sculpin, two fish species only found in areas of high-quality water.

The study of the river is an essential step forward in the designation process. With its strong bipartisan support, I also would like to thank the Resources Committee for bringing this bill forward. I encourage my colleagues to support the legislation.

Mr. LARSON of Connecticut. Mr. Speaker, as a cosponsor of the Lower Farmington River and Salmon Brook Wild and Scenic River Study Act, I rise in strong support of this very important bill.

Connecticut is fortunate to be the home of the Farmington River, which hosts a wealth of natural beauty, a variety of wildlife, and a cultural past important to our state, region, and Nation. In 1994, Congress recognized the upper section of the Farmington—a 14 mile-long stretch that runs from the base of the Goodwin Dam in Hartland to the downstream border of Canton and New Hartford, as Wild and Scenic. As a federally protected river segment, the natural splendor and resources of

the Upper Farmington have been managed cooperatively on the local, state and federal level for over a decade. Regrettably, Salmon Brook, a major tributary, and the Lower Farmington that runs 40 miles from Canton to its confluence with the Connecticut River in Windsor do not share the same federal protection. Continued threats to the river's water quality reinforce the urgent need for a collaborative effort to preserve the unique character of both the Upper and Lower Farmington, as well as Salmon Brook, for present and future generations.

The Lower Farmington is a rare natural, cultural and recreational area for the people of the First District and throughout the entire state of Connecticut. The river's free-flowing waters support a rich ecological system and serves as the habitat for diverse fish species, including the American shad and the Atlantic salmon. The River is also home to trout, river otter and bald eagle populations. Since the 1600s, the River has prominently been featured in our state history, from the Tuxis Native American tribes who settled on its shores to the mills and dams that sprung up as part of the Industrial Revolution. Today, people from across Connecticut can enjoy the majestic views of the river along the Farmington River Trail—a former railroad line that when completed will run 26 miles along the shores of the Farmington.

Since 1968, the National Wild and Scenic Rivers System has protected the Nation's most valuable rivers. Through this system, rivers that possess remarkable scenic, recreational, natural, and cultural values are preserved in their free-flowing condition and are protected for the benefit and enjoyment of present and future generations. Designated rivers are afforded the federal protection necessary to maintain their resources and character.

The Lower Farmington River and Salmon Brook Wild and Scenic River Study Act is the first significant step towards designating the Lower Farmington in the National Wild and Scenic Rivers System. I urge my colleagues to join me in ensuring the environmental and historic preservation of these waterways by supporting the underlying bill.

Ms. BORDALLO. Mr. Speaker, I yield back the balance of my time.

Mr. RENZI. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 1344, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### AUTHORIZING NATIONAL PARK SERVICE TO PAY FOR SUBCONTRACTOR SERVICES COMPLETED AT GRAND CANYON NATIONAL PARK

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3961) to authorize the National Park Service to pay for services ren-

dered by subcontractors under a General Services Administration Indefinite Deliver/Indefinite Quantity Contract issued for work to be completed at the Grand Canyon National Park.

The Clerk read as follows:

H.R. 3961

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. DEFINITIONS.

As used in this Act, the following definitions apply:

(1) IDIQ.—The term “IDIQ” means an Indefinite Deliver/Indefinite Quantity contract.

(2) PARK.—The term “park” means Grand Canyon National Park.

(3) PGI.—The term “PGI” means Pacific General, Inc.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

#### SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) The park issued approximately 40 task orders to PGI under an IDIQ between fiscal years 2002 and 2003 for a variety of projects.

(2) The value of these task orders was over \$17,000,000 for various construction projects throughout the park.

(3) According to invoices sent to the park, PGI certified that proceeds of payments were being sent to subcontractors and suppliers.

(4) In January 2004, complaints were received by numerous subcontractors citing lack of payments by PGI.

(5) The National Park Service has paid over \$10,000,000 to PGI, of which an estimated \$1,300,000 was owed, but not paid to subcontractors.

(6) During an acquisition management review conducted by the Washington Contracting and Procurement Office of the National Park Service, it was found that the park had failed to ensure that PGI obtained the necessary payment and performance bonds required by the IDIQ and the Miller Act (40 U.S.C. 270a).

(7) On February 6, 2004, the National Park Service suspended further payment to PGI and issued a suspension notice to cease activity by the contractor.

(8) The National Park Service gave PGI every reasonable opportunity to resolve the situation, but PGI has effectively ceased doing business.

(9) Recovery by the Government of that \$1,300,000 is unlikely.

(10) The National Park Service is prohibited from making payments to a contractor without obtaining payment and performance bonds.

(11) Contract law generally prohibits payment directly to subcontractors because of the lack of a direct, contractual relationship between the parties.

(12) The Federal Government has derived benefits from the work that has been completed.

(b) PURPOSE.—The purpose of this Act is to authorize the Secretary to pay for services rendered by subcontractors that should have been paid by PGI.

#### SEC. 3. AUTHORIZATION.

The Secretary is authorized to use \$1,300,000 from the park's entrance fee revenues to pay subcontractors of PGI for work performed at the park under an IDIQ with PGI between fiscal years 2002 and 2003 provided that—

(1) the primary contract between PGI and the National Park Service is terminated;

(2) the amount owed to the subcontractors is verified;

(3) all reasonable legal avenues or recourse have been exhausted by the subcontractors to recoup amounts owed directly from PGI; and

(4) the subcontractors provide a written statement that payment of the amount verified in paragraph (2) represents payment in full by the United States for all work performed at the park under the IDIQ with PGI between fiscal years 2002 and 2003.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3961, authored by myself, would authorize the National Park Service to pay up to 38 subcontractors for work they performed at the Grand Canyon National Park during the years 2002 and 2003. To date, these subcontractors still have not been paid a total of \$1.3 million because the primary contractor went out of business. As it turned out, the primary contractor was not bonded, a fact that the National Park Service does not dispute. The Park Service has indicated it has the money and wishes to make the contractors whole, but requires a congressional directive to do so.

I thank the gentleman from New Mexico (Mr. PEARCE) whose perseverance on this issue has allowed us to get to this point today in helping to resolve the issue. I urge adoption of the bill.

Mr. Speaker, I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield myself such time as I may consume.

(Ms. BORDALLO asked and was given permission to revise and extend her remarks.)

Ms. BORDALLO. Mr. Speaker, first, I wish to thank the gentleman from Arizona (Mr. RENZI) for his work on this bill. We have no objection to the consideration of this legislation, H.R. 3961, and urge our colleagues to support it.

Mr. Speaker, I yield back the balance of my time.

Mr. RENZI. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 3961.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### SOUTHERN NEVADA READINESS CENTER ACT

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4382) to provide for the conveyance of certain land in Clark County, Nevada, for use by the Nevada National Guard.